

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, in food protection, further providing for retail
3 food facility and employee cleanliness.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 5710 of Title 3 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5710. Retail food facility and employee cleanliness.

9 (a) Cleanliness.--The following shall apply:

10 (1) All retail food facilities, kitchens, dining rooms
11 and all places where foods are prepared, kept or stored shall
12 be kept in a clean and sanitary condition and be protected
13 from dust, dirt, insects and vermin in the manner prescribed
14 by the regulations of the department. The clothing and hands
15 of employees shall at all times be clean and sanitary. Except
16 when washing fruits and vegetables or when approved by the
17 department, food employees may not contact exposed, ready-to-
18 eat food with their bare hands and shall use suitable

1 utensils such as deli tissue, spatulas, tongs, single-use
2 gloves or dispensing equipment. [No]

3 (2) Except as specified under subsection (b), no
4 domestic pets or other animals shall be permitted where food
5 or drink is prepared, handled or stored unless specifically
6 permitted or required under the Americans with Disabilities
7 Act of 1990 (Public Law 101-336, 104 Stat. 327) or other
8 Federal or State law. No person shall be permitted to use for
9 living or sleeping purposes any room or place in any retail
10 food facility which is regularly and customarily used for the
11 preparation, handling, storing or serving of food.

12 (b) Pet dogs.--Notwithstanding the provisions of section 6-
13 501.115 of the Food Code published by the United States Food and
14 Drug Administration, a pet dog under the control of the pet dog
15 owner may be permitted in an outdoor dining area if the
16 proprietor of the retail food establishment elects to allow pet
17 dogs in the retail food establishment's outdoor dining area and
18 the retail food establishment complies with all of the
19 following:

20 (1) A separate outdoor entrance shall be present at the
21 retail food establishment where a pet dog may enter without
22 going through the retail food establishment to reach the
23 outdoor dining area.

24 (2) The pet dog may not sit on a table, chair, bench,
25 seat or other furniture or fixtures located at the retail
26 food establishment.

27 (3) The outdoor dining area may not be not used for food
28 or drink preparation or the storage of utensils. A food
29 employee may refill a beverage glass in the outdoor dining
30 area from a pitcher or other container.

1 (4) Food and water provided to a pet dog shall only be
2 in single-use disposable containers.

3 (5) Food employees may not have direct contact with a
4 pet dog while on duty.

5 (6) The outdoor dining area shall be kept in a clean and
6 sanitary condition and be protected from dust, dirt, insects
7 and vermin in the manner prescribed by the regulations of the
8 department. Surfaces that have been contaminated by dog
9 excrement or other bodily fluids shall be cleaned and
10 sanitized.

11 (7) A pet dog shall be on a leash or confined in a pet
12 carrier and under the control of the pet dog owner.

13 (8) The proprietor of the retail food establishment
14 ensures compliance with local ordinances relating to
15 sidewalks, public nuisance and sanitation.

16 (9) Other control measures as specified by the licensor.
17 Section 2. This act shall take effect in 60 days.